

THE
PRESENT STATE
OF
ENGLAND;
EXPRESSED IN
THIS PARADOX,

*Our Fathers were very rich with little;
And Wee poore with much.*

Written by WALTER GARY.



LONDON,
Printed by R. [unclear] for William Sheffard in Popes-
head Alley. Anno Dom. 1627.

THE
PRESENT STATE

OF

*170

C25p

ENGLAND

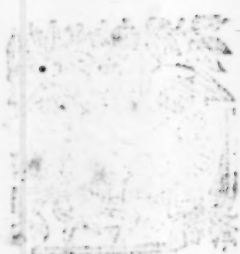
EXTRACTED IN

THE

THE

THE

THE



Printed by A. New for Andrew Wood in Port-
land-Street, near St. Dun's Church.



THE
PRESENT STATE
OF
ENGLAND.



Hereas I intended to shew
the present state of England,
by the exposition of this Pa-
radox; yet would I haue
none to thinke, that I intend
to meddle or speake of any
matter of gouernment there-
of; *Quia Ionem tangere periculosum*: but onely to
expresse the manners and conditions of the peo-
ple; and to shew the difference of this present
time; and of that which was 60. yeares since,
when I was (as it were) but a springing *Cima* of
sixteene yeares old: Neyther will I therein vse
any long discourse; but with all possible breuitie
deliuer onely this Pamphlet, as a glasse, where-

A 2.

in

in men of this present age may see their monstrous deformities ; or as a Theame for wiser wits to play vpon, setting aside in effect whatsoeuer I shall write more than the words of the very Paradox it selfe : for, *Verbum sapienti sat est*. The duty also which by the law of God, and the law of Nature, I owe vnto my natiue Soile, and the great heart-sorrow I haue to see the follies, misdemeanours, and ill behaiour of many of this time, hath moued mee now in my withered age, to leaue these few lines, as tokens of my loue ; with great hope, that if the same perhaps shall come to the hands of our wise, religious, vertuous, learned, and most gracious Soueraigne King, the blessed peace of England, hee will thereby be put in minde, *Scabra hac nostra dolare*, that is, to make these our rugged waies plaine.

The exposition of the Paradox.

AS in all others, so in this Paradox, the words carry a strange sense, and seeme to import a meere contrariety and vntruth : For (according to the word) how can it bee, that one hauing little, should be rich? and another much, should be poore? Wherefore wee must seeke another, and more secret meaning ; knowing that euery Paradox hath both an outward and inward sense. The one (as I may terme it) superficiall, the other essentiall ; the one left to the gazing of fools, with admiration ; the other to the wise, with deepe consideration : The one to the eye and outward appearance onely, the other to the inward

ward sense and iudgement. For my promised breuities sake (omitting many) I will speake onely of three things, with their appurtenances; where in our then wise Fathers, did greatly differ from vs, now fooles. These three which haue turned things vpside down, and strangely altered our estate, are suits of law, suits of apparell, and drunkenness; which being well considered, with matters subsequent, it will appeare, that these three foule staines in our faire common-wealth, doe plainly lay open, and proue the inward truth of my Paradox: for, to speake first in generall; Our Fathers in apparell were very plaine, drunkenness was abhorred, & as it is a most base trade, so vsed onely of the most base, and some few of the very abiect sort. They did not ambitiously strue to get that which they could not compasse, to borrow that which they could not repay, neither to contend for euerie trifle in law, which at this day are causes of infinite suits: but liuing quietly and neighbourly with that they had, they were euer rich, able to giue and lend freely. But now (on the contrary, our rents being generally fise times as much as our Fathers received for the same land) the idle and senselesse expences of senselesse drunkards, the outrageous charge of suits in law, the monstrous prodigality in apparell, maketh vs (seeming great and rich in ourward shew) to be full of care, trouble, euer needie, and very beggarly. For by these three meanes wee strue to seeme kings, but contend indeed who shall be first beggars, so

The present state

that the old Prouerbe is in this age most truly verified; *Stultorum plena sunt annis*, The world is full of fooles. Now of these three particularly; and first:

Of Drunkenesse.

THIs most monstrous vice is thus defined: *Ebrietas est priuatio motus recti & intellectus*, Drunkenesse is the priuation of orderly morion and vnderstanding. This definition agreeth in part with that which *Galen* hath, *lib. 30. de laris affectis*, of naturall folly, which is, *Stultitia est amissio intellectus*, Folly is the losse of vnderstanding: and another saith, it is *absentia intellectus*, the absence or want of vnderstanding: But I neede not stand much about the definition of drunkenesse, or to shew what it is: For (with grieve I speake it) the Tauernes, Alehouses, and the verie streetes are so full of drunkards, in all parts of this kingdome, that by the sight of them it is better knowne what this detestable and odious vice is, than by any definition whatsoeuer. God hath made all things for man, hath made him ruler and gouernour ouer all; which office that he may the better performe, he hath giuen him reason (a most diuine thing, and precious in well) to gouerne his actions, whereby he farre excelleth all other creatures. This is well compared to a Carpenters Rule: for without a Rule the Carpenter can neuer orderly compose his worke; but every part will bee out of frame: so these

these drunkards (hauing expelled reason, that most excellent rule) are in farre worse case than brute beasts; for they haue neither reason nor nature to direct them, but shew themselves either fooles or mad men, as they are formerly defined. I would to God, they would consider how many murders haue been, and daily are committed by drunkards; so that some of them are killed and taken away in the midst of their wickednesse; others hanged, loosing lands and goods; to the ouerthrow of their houses. This signe is (in a word) in it selfe damnable; and the very path way leading to all other wickednesse whatsoever. *Inter alia, hac me mirifica exortat, quod Academia nostra morbo hac pernicioso laborare dicantur: nam fontes si inficiantur, qui omnes non nisi aquam putidam prabere poterint.* But (still minded full of my promised breuities) I will onely set downe notes (as it were) or short speeches of drunkards & drunkennesse, and so take my leaue of that wherewith I was neuer acquainted.

I reade of one brought vp from his infancy in a wildernes, at last coming to a citie, and seeing a drunken man going vp & downe the streets, wth clamorous and outrageous words, farre from reason, in his gate staggering, and in all his actions foolish and rude, asked what creature that was, being so like in shape to a man, and no man.

Another seeing one come drunke out of a Tauerne, falling downe in the streete, and vomiting vp in great abundance the wine wth which hee had ouercharged his stomacke, said, Look, look,

I will

I will shew you a strange sight; This man hath in this sort vomited many goodly Lordships, and great treasure, left him by his father; and now he hath neither wealth, nor wit, but is a beggar and a besotted foole.

It is written, that one coming into a place where many were drunke, one of them offered him a full cup; to whom hee said, there was poison in it, or worse than poison: for it hath bereft you all of your wits and vnderstanding. I will none, I thanke you.

One seeing a man extreemely drunk, and still drinking excessively, said, Alasse, let him drinke no more. To whom another answered, Let him drinke still, for he is good for nothing else; and it is not fit for a man to liue, that is good for nothing.

They that force others to drunkenness, are like stinking sinkes; which receiue all filthy and loathsome things, and therewith infect others.

One being asked, what hee thought of a man often drunke, said, He is a peece of ground good for nothing, which bringeth forth nothing but weeds.

A drunken man sleeping soundly, one said, It is pittie he should euer wake; for now hee doth no harme, but when he is awake he is euer speaking or doing something that is naught.

I haue heard, that in Spaine if one be drunke, his oath is neuer after to be taken before a Iudge.

A Philosopher hearing one brag of his great drinking (as many do in these daies) said, my Mule doth

doth farre excell thee in that vertue.

It were very fit that drunkards, hauing lands, should bee made wards, of what age soeuer: for they are not able to gouern themselves nor their liuings, more than children.

Sentences of wise men, touching Drunkennesse and Drunkards.

Comes ebrietatis paupertas, Beggarie is the companion of drunkennesse.

Qui sunt crebro ebrj, cito senescunt, They that are often drunke, are quickly old.

Nulla fides ebrio danda, nec huic negotium committendum, There is no trust to bee giuen to a drunkard, neither any businesse to be committed to him.

Ebrietas contentiosa, Drunkennesse is full of quarrells.

Ebrietas fomes libidinis, Drunkennesse is fuell for filthy lust.

Ebrijs Fissacarum more modo loquantur, Drunkards speake but like Parrets.

Vas repletum, vinum habet, seipsum non habet, He that is full of wine, hath wine, himselfe hee hath not.

Ebrietas dulcet venenum, Drunkennesse is a pleasant poison.

Nescit ebrietas vel imperare, vel parere, Drunkennesse knoweth neither to gouerne, nor to bee gouerned.

Vbi ebrietas, ibi sola fortuna; vbi sola fortuna,

B

ibi

ibi nulla sapientia dominatur, Where drunkenness is, there onely fortune; where onely fortune is, there no wisdom doth beare rule.

Ebrius semper in precipitiis stat, A drunkard standeth alwaies as it were in a place ready to breake his necke.

Ebrius nolite consilium, Neuer aske counsell of a drunkard.

Ebrietas non minor quam insania, sed breuior, Drunkenness is no lesse than madness, but shorter.

So haue you heard, what the wisest men long since haue said of this filthy vice; and the vicious followers of the same.

To conclude, I wish all drunkards to read this, euery morning as soone as they rise, that thereby they may be perswaded to reformation that day; and to remember how greatly that beast-like and loathsome sinne hurteth the soule, the body, the purse, and the name or reputation: It is in it selfe so odious & detestable before God, and all ciuill men; that as one saying, Lo, yonder is a cruell Lyon; which words cause a man presently to flie and shif away: so if I had but named drunkenness, that onely word should bee a sufficient perswasion for wise men to auoide the same. For the Lyon is not so dangerous, who killeth onely the body, as drunkenness which killeth body and soule.

aid to build himself aid redemption vane
no and *Of the excessive abuse in apparrell.*

THere are professors of a rare and strange art
for science, who are named Proportionaries;
but seldome set to worke. If you delineate one of
these a bone of your Grand-fathers little finger;
hee will by that finde the proportion of all his
bones, and tell you to an inch how tall a man
your Grand-father was: So I herein mind to vse
some of their skill; for seeing it is an infinite mat-
ter, *sigillation* to write of all the peeuish, childish,
and more than foolish costly ornaments now v-
sed (especially being obiect to euery mans sight)
I will onely take the head with the neck, and by
these, tell you what proportion all the rest of the
body holdeth, downe to the lowest part of the
foote. I saw a complete Gentleman of late,
whose Beuer-hat cost xxxviij. s. a feather xx. s. the
harband iij. li. and his ten double Ruffe iij. li.
thus the head and neck onely were furnished,
and that but of one suite; for iij. li. Now
taking the proportion of the brauery for the rest
of the body; the cloake lined with velvet, traubed
ouer with gold lace two fingers broad; the fartin
sloubler and hose in like sort decked; the silke
stockings, with costly garters hanging downe to
the smale of the legge; the Spanish shoes with
glittering roses; the girdell and Stiletto; I leaue it
to those that herein know more than I, and can
make of greater brauery than this; to cast up the
small summe: wherein shal (as an appurtenant)
they

they may remember his Mistris futed at his charge, and cast vp both summes in one. But on the contrary, I obserued but 60. yeares since, generally a man full as good or better in ability than this complete, lusty looking lad, whose hat and band cost but v. s. and his ruffe but xii d. at the most. So you see the difference of these summes; the one ix. li. xvii. s. the other vi. s. Then after this proportion, the whole attire of the one, cost about 30. times as much as the attire of the other: forget not also that the one lasteth three times as long as the other; subiect to change; as fashions change. There is another appurtenant to this guiled folly; for if his Mistris say it doth not become him, or if the fashion change, that suit is presently left off, and another bought. I will not forget, but touch a little the foolish and costly fashion of changing fashions, noted especially, and objected against our English nation; and in one onely thing (I meane the hat) I will expresse our prodigious folly in all the rest: Of late the broad brimmed hat came suddainely in fashion, and put all other out of countenance and request; and happy were they that could get them soonest, and be first seene in that fashion: so that a computation being made, there is at the least 3000000. li. or much more, in England onely bestowed in broad brimmed hats, within one yeare and an halfe. As for others, either Beaver or Felts, they were on the suddaine of no reckoning at all: in so much, that my selfe (still continuing one fashion) I bought a Beaver hat for 10. s. which

which the yeare before could not bee had vnder 30.s. The like, or more may be said of the change from plain to double ruffes: But if you wil see the effect of these follies, & what lamentable estate it bringeth many vnto; go to the Kings bench-prison, to the Fleet, to the Counters, and like places; where you shall finde many that in golden glittering brauery haue shined like the Sunne, but now (their patrimonies and all being spent, and they in debt) their Sun is eclipsed, and they rest there in very miserable case, bewailing their vaine, and more than childish course of life; and some of them call to minde how they haue heard, that their fore-fathers (on that liuing, which they haue in lewd sort spent, and disinherited their family of for euer) liued bountifully, quietly, pleasantly, and (as I may truly say) like Kings in their little kingdomes: They seldome or neuer went to London, they did not strue for greatnesse, they did not long for their neighbours land, neither sold of their owne, but (keeping good hospitalitie, and plainely euer attired) were very rich. Well, if the hat alone, and in so short a time hath put England to that charge, by change of fashion onely: what hath Lawnes, Cambricks, Silkes, Sattins, Veluets, and the rest done, and change of fashion in them: I will deliuer you my opinion (out of my loue to my Countrey, and desire of reformation) and leaue it to the correction of the wiser. The money which is most superfluously bestowed in apparrell in this little Island, is thought able to maintaine a Navy to

command the sea-forces of all our neighbours bordering on the narrow seas, of Spain, & of the Pirats, & all others in the mediterranean sea. How far they further may shew their force in the sea leading to Constantinople, I will not take vpon me to iudge. Yet one other effect these Peacockes feathers (in this gilded, not golden age) worketh: The most part of the Gentry of this kingdom, are so farre in the Vsurers bookes, by their ouerreaching heads to climb to greatnesse, and they and their wiues to exceed their neighbours in brauery and place, that they liue in continuall care, and like fishes in nets, the more they strue to get out, the faster they hang. I could bring manie sentences of the wise & learned against these vaine, pceuiſh, childish, thriftlesse, and painted fooles, as I did against drunkards; but I will only tell you an old tale, and so conclude this part. A Kinght named *Young*, a man of an excellent mother wit, verie pleasant, and full of delightfull and merry speech, was commended to our late Soueraign, *Queen Elizabeth*, who caused him to be brought to her, tooke great pleasure to talke with him, and amongst other things she asked him how he liked a company of braue Ladies that were in her presence? He answered, as I like my filner haired conies at home; the cases are farre better than the bodies. These our named Gallants are well compared to such conies, and are decoiued much, to thinke they better their reputation by their brauery: for many, euen ordinary Tailors in London, are in their Silkes, Satins,

rins, & Veluets, as well as they: And in Italy euery base ordinary black-smith doth exceed on the Sabbath day and other holy daies, or equall the brauest of them. I wish them therefore to compare the sweet Country with the vnfauoury London, wherein they are most resident, which is the cause of great expence, in brauery, in gaming, drinking, resorting to plaies, brothell houses, and many other great follies: and I dare say, they shall finde more true pleasure in one year, lining like their fore-fathers in the Countrey, than in twenty lining in London.

Touching suits in Law.

Herein I must beare an euen hand, and speake nothing that shall giue iust cause of offence, yet *veritas non culpanda.*

In our law proceedings, I finde (in my simple iudgement) euery subject to the correction of the wiser) sundry inconueniences. The first is, that although they haue in their law a Maxime, *De minimis non curat lex*, yet they admit euery trifling action for gaine; euery of such poore clients also, as haue scarcely bread to giue their children: wherein oftentimes is more spent, than thrice the value of that they stride for.

I heard of two men, who fell at variance about an hieue of bees, and went to law, vntill he that had spent least, had spent 500 li.

I heard also of two brethren, who contended in Chancery for a chain of gold worth 500 li.

The

The elder (being Executor) kept the chaine; the yonger had prooffe, that his father said often in his life time, that the chaine should be his: The suit proceeded, vntill they had spent aboue an 100.li. And on a day being both at the Chance-rie barre, they touched one another; and the elder brother desired to speak with the yonger, and said, Brother, you see how these men feed on vs, and wee are as neere an end of our cause, as when wee first began: come and dine with mee, and I will giue you the one halfe of the chaine, and keep the other, and so end this endlesse cause. And I pray you let vs both make much of this wit so dearly bought. Thus was this cause ended.

There was a Widow and a Gentleman that contended for a seate in the Church, at the ciuill Law; and this Gentleman talking of his suit for his seate, protested that it had cost him so great a summe, as that (for the credit of these Courts) I am loth to name. One wondering thereat, hee said, it was most true; and said further, They haue spun mee at length like a twine thread: and named the number of Courts he had bene twisted in, and the strange number of chargeable commissions which passed between them. Thus you see the old saying true; If you goe to law for a nut, the Lawyers will cracke it, giue each of you halfe the shell, and chop vp the kernell themselves.

There is a thing which long since happened in France, very memorable, touching the endlesse causes in the ciuill law. A stranger having sold
great

great store of Marchandise there, and not paid, entred suit against his debtors, wherein he spent more than his debts came vnto: and thereupon greatly perplexed, especially seeing no likelihood of an end of his suits or obtaining his debts; hee went to the King, and said, I haue a great complaint against one in your kingdome, and I humbly desire you to heare mee patiently: The King said, tell me against whom, I will verry patiently and willingly heare thee: My Lord (said he) it is against your selfe: Against me, said the King, how so: whatsoeuer it be, speake it freely, and feare nothing: Whereupon the Merchant told him, that he did suffer most intolerable, costly, and tedious courses in the proceedings of Law in his kingdome (which is there onely the ciuill Law) and such as I thinke, will neuer haue end as long as the Clients haue money to giue the Lawyers; and told him withall, of all his proceedings. Well, said the wise King, I will first see thee fully satisfied, and then reforme this foule abuse: And presently thereupon did take such excellent order for the quicke and iust end of causes, that his subjects did name him, *Pater patriæ*; and he was so admired, and so heartily loued of them, as (I thinke) neuer King was before or since.

I could speake further of two citizens of London, who fell out for the kicking of a dog, and went so long to law, vntill their booke could not bee contained in two bushell bagges. This cause thus standing without shew of end, our

C

late

late gracious Soueraigne Queene Elizabeth caused to be arbitrated. I could speak of many more like vain and trifling suits, which, as little springs, first creepe out at the foot of an hill, and by long running grow to be great riuers; but these shall suffice, *Quia in infinitu inflare, infinitum.*

I haue heard a very laudable order in Spaine: There are appointed certain men called Iusticers, which are dispersed ouer the whole kingdome; euery one limited to certaine Parishes, in which he hath authority to heare complaints of misdemeanours, and trifling quarrels, and to punish offenders, cyther by fine (whereof he hath part, & the King the rest) or corporall punishment, as hee seeth good; and to end also causes for trifling debts, and other matters (being of no great moment) whatsoever, without suit: Whereas in England there are an infinite number of suits tolerated for words, for the least blow, for cattell breaking into ground, for trifling debts, and such like: so that if one haue but x.s. owing him, nay, v.s. or lesse, he cannot haue it but by suit in law, in some petty Courtes, where it will cost 30. or 40.s. charge of suit. But to end this Chapter, I could wish that our Iustices by commission, were authorised to sit in severall parts to which they dwell neere, and before any suit bee brought, the plaintife should shew his cause of complaint, and thereupon if it were for title of much land, or matter of great moment, he should be suffered to proceed in law; but if otherwise, they should determine it themselves, or referre it to others as

(the

(the persons and causes considered) they thought good, and likewise to punish misdemeanours: which would breed great peace in this land, and preuent the vitter vndoing of many.

A second inconuenience.

THis is the multiplicity of Attornies at the common Law of Chancery, vnder-clerks, and many petty-foggers, dwelling and dispersed ouer all this kingdome, which may well be compared to such as stand with quail-pipes, euer calling the poore silly bird into the net.

I heard it credibly reported, that few yeares since, there were not aboue two or three Attornies in the Ile of Wight, and not many more causes or suits in law; but now there is (said the reporter) at the least six and many more suits in law. The reason he added, was this, If any be angry with his neighbour, he hath one of these ready and neer at hand, to whom hee openeth his griefe: who is also as ready, presently to set him on for his owne gain, telling him his cause is cleere, and he shall neuer wag his foote, but hee will doe all for him, and fetch his aduersary about well enough. On the contrary, the other hath one as ready to tell him, how well hee will defend his cause. So the set two enter combat, and when both are weary, then neighbours end the cause: and to that end (for the most part) come all suits of England. How much better then were it, at the first to commit causes to neighbours & for

no causes seldome haue so good end by law, as by neighbours : *Iniquissima pax, iustissimo bello. an-
teferenda.*

*The third is motions made in the Courts, especially
in the Chancery.*

THere are some Councillors, who will in their motions report whatsoever their client telleth them; be it true or false; and these are well said to haue *voces venales*, that is, to bee such as that for mony you may haue them tell what tale you will. These also abuse the Courts, and cause diuers Orders to bee made by their false suggestions, which make suits very tedious, and more costly: Infomuch that about Orders onely, there is oftentimes more money and time spent, than ought to bee about the whole substance of the cause.

The fourth.

THis is the great fees which Councillors take, whereby the clients are much impouerished: For they (not looking into their consciences, what they deserue, or how hardly their client (perhaps poore) may spare it) take all that comes, and are like gulfes without bottome, neuer full. And further, if you haue a day of trial; or hearing, and fee your Councillor, although he be absent and doe you no good, yet he swalloweth your fee as good booty. There is a remedy by law for excessiue

five fees (as I haue heard) but it taketh no good effect.

The fifth.

THis is making long bills in the English Courts, full of matter impertinent, from the fulnesse of their malice, to put the defendant to greater charge. These men are often in like sort requited, and beaten with their owne rods: wherefore I compare them to one that will put out one of his owne cies, to doe his enemy the like harme: I wish that such a man may pay well for his folly to his enemy.

The sixth.

THis is especially in the English Courts also, where the vnder-clerkes with their large margents, with their great distance betwene their lines, with protraction of words, and with their many dashes and slashes put in places of words, lay their greedinesse open to the whole world: and I haue heard many say, that they are as men voide of all conscience, not caring how they get mony, so they haue it, and that with as good a conscience they may take a purse by the high way, but not with so little danger, and that is all the difference. I did see an answer to a bill of 40. of their sheetes, which coppied out, was brought to 6 sheetes, in which copy there was very sufficient margent left, and good difference between the lines. Hereby euery man may see

how infinitely by the abuse of petty-clerks, (the Court of Chancery swelling, & ready to burst with causes, the Star-chamber and the rest) the whole kingdome is robbed as it were: For that copy which should haue cost but 4.s. cost 4. nobles. There was one presented our late worthy Lady and Queen, *Elizabeth*, with a peece of paper no bigger than a penny, whereon was written the *Pater noster*, the Creed, and a prayer for her. Now I wish that all such Clerkes should be apprentices awhile to such a Scribe; for so falling from one extreme to another, they may bee brought to a meane: But as for the higher Clerkes and officers, they would faine haue this foule and vnconscionable fault amended, because it maketh nothing for their profit.

The seventh.

THis last that I will speake of, but not the last, yet least by many, is touching Interrogatories and examinations of witnesses. There are many that set downe vaine and frivolous Interrogatories, nothing at all to the matter in question; and therupon cause many to bee examined, whose testimony maketh nothing to any purpose, neither is euer read or heard, but onely causeth long, tedious, needlesse, and costly books, to the grieuance & excessive charge of the subject. Thus haue I (as it were) onely nominated seven inconueniencies, to perswade men to peace, and to end at home such quarrells as arise, without great vexation of mind, without great trouble of bodie

die, in riding, and running, and without excessive expences. All which, together with neglect of all businesse, doe necessarily follow suits and controuersies in Law : *Ictus piscator dixit.* As for many others which are greater, and whereof the last Parliament began to speak, with intent to reform the same, I will say nothing. But these seuen motives I desire to be picked out of their long gownes.

So haue I briefly (without our new borne inkepot termes) deliuered to the view of the world, my Paradox and exposition thereof, with hope to perswade some of the wiser sort to auoid drunkennesse, excessse in apparrell, and controuersies in law, with matters subsequent, which are three of the most common, costly, and offensive euils now raiging : That by their example, others may learne to liue a ciuill, plaine, quiet, and contented life, whereby seeming poore, they shall be rich ; whereas others bestowing much in feasting and drunkennesse, brauing it out with a glorious outside only, and painted apparell, liuing in controuersie, and sparing no large fees, or great bribes to ouercome their aduersaries, seeme only to be rich, but are indeed very beggarly. Wherefore I conclude as I begun, Our Fathers were rich with little, and we beggars with much : For wee vse our much ill, and they vsed their little well.

FINIS.